

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BLAIR DOUGLASS,

CASE NO: 2:23-cv-1974

Plaintiff,

NOTICE OF REMOVAL

v.

HUMAN RACE PW, LLC,

Defendant.

Filed on behalf of Defendant:
Human Race PW, LLC

Counsel of Record for this Party:

James P. McGraw, Esq.
PA Bar No. 307607
The Lynch Law Group, LLC
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NOTICE OF REMOVAL

Pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1441 on the basis of federal question jurisdiction, Defendant HUMAN RACE PW, LLC., hereby files this Notice of Removal of the above-captioned action from the Court of Common Pleas of Allegheny County, Pennsylvania to the United States District Court for the Western District of Pennsylvania, and in support of removal states as follows:

VENUE IS PROPER FOR REMOVAL

1. Venue for removal is proper in the United States District Court for the Western District of Pennsylvania because the Court of Common Pleas of Allegheny County, Pennsylvania is located within the Western District of Pennsylvania. 28 U.S.C. § 1441(a).

BASIS FOR REMOVAL

2. Plaintiff filed a Complaint in the Court of Common Pleas Allegheny County, Pennsylvania at Case No. GD-23-011051, raising a claim for a violation of Title III of the ADA, 42 U.S.C. §12181 *et seq.* A true and correct copy of Plaintiff's Complaint is attached hereto as **Exhibit A.**

3. As Plaintiff's Complaint brings a claim under the laws of the United States, removal is proper. 28 U.S.C. § 1331.

4. Pursuant to 28 U.S.C. § 1446(d), counsel for Defendant certifies that copies of this Notice of Removal will be filed with the Court of Common Pleas of Common Pleas Allegheny County, Pennsylvania and served upon counsel for all parties.

5. Counsel for Plaintiff does not oppose removal of this case.

6. Defendant, by filing this Notice of Removal, does not waive its right to raise any available defenses.

WHEREFORE, Defendant, HUMAN RACE PW, LLC, hereby removes the civil action pending in the Court of Common Pleas of Allegheny County, Pennsylvania. Case No. GD-23-011051, to the United States Court for the Western District of Pennsylvania on the basis of federal question jurisdiction pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1441.

Dated: November 13, 2023

Respectfully submitted,
By: /s/ James P. McGraw
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